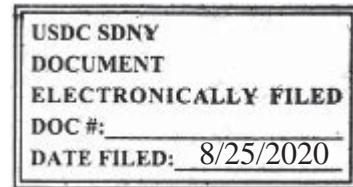


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



United States,

—v—

Bahram Karimi.

Defendant.

18-cr-224 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

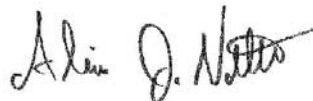
On June 5, 2020, the Government submitted an “application for an order of *nolle prosequi* of the Indictment[] filed in this case against Ali Sadr Hashemi Nejadin (‘Sadr’) and Bahram Karimi.” Dkt. No. 348. Mr. Sadr’s subsequently requested that the Court first grant his motion to vacate the verdict against him under Federal Rule of Criminal Procedure 33 and only then dismiss the indictment, with prejudice, under Rule 48. Dkt. No. 349. The Government eventually consented to this request. Dkt. No. 381. The Court thus “construed” the Government’s “application for an order of *nolle prosequi* . . . as a motion to dismiss with prejudice under Federal Rule of Criminal Procedure 48(a)” and granted both motions, vacating the verdict against Mr. Sadr under Rule 33 and dismissing the indictment against Mr. Sadr with prejudice under Rule 48. Dkt. No. 362.

The Government’s application for a *nolle prosequi* against Mr. Karimi, however, remains pending. No later than September 1, 2020, the Government is ordered to inform the Court whether it seeks dismissal of the indictment against Mr. Karimi under Federal Rule of Criminal Procedure 48(a). The Government shall indicate whether it seeks dismissal with or without

prejudice, and provide justification for its request. The Government should further submit a proposed order for the Court's review.

SO ORDERED.

Dated: August 24, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is positioned above a horizontal line.

ALISON J. NATHAN
United States District Judge